

# ATTACHMENTS-B

FORM #584

## GRIEVANCE FORM

FACILITY: D.C.C. SmyrnaDATE: Nov 26<sup>th</sup> 2004GRIEVANT'S NAME: Shane HopkinsSBI#: 253918CASE#: 9907TIME OF INCIDENT: Approx 3:00 P.MHOUSING UNIT: S.H.U #18-C-U#6

BRIEFLY STATE THE REASON FOR THIS GRIEVANCE. GIVE DATES AND NAMES OF OTHERS INVOLVED IN THE INCIDENT OR ANY WITNESSES.

This grievance is being filed as soon as I was able to. I have been in Isolation and was not able to obtain a pen and grievance form.

On 11-26-04 I was assaulted by C/O's Joe Smith and John Pusey.

C/O's Smith and Pusey Confiscated personal property that was sent into the Institution by family members R.e. ① Thesaurus and ① Fiction novel "Angles And Demons", by Dan Brown. —————> Cont. Pg # 2

ACTION REQUESTED BY GRIEVANT: This incident was malicious and it needs to be addressed.

GRIEVANT'S SIGNATURE: Shane HopkinsDATE: 12-17-04

WAS AN INFORMAL RESOLUTION ACCEPTED? \_\_\_\_\_(YES) \_\_\_\_\_(NO)

(COMPLETE ONLY IF RESOLVED PRIOR TO HEARING)

GRIEVANT'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

IF UNRESOLVED, YOU ARE ENTITLED TO A HEARING BY THE RESIDENT GRIEVANCE COMMITTEE.

cc: INSTITUTION FILE  
GRIEVANTExhibit "A"

April '97 REV

RECEIVED

DEC 20 2004

Inmate Grievance Office

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## Instructions for Submitting a Regular Grievance

Inmates are required, per DOC Procedure 4.4 [Inmate Grievance Procedure] to attempt to resolve complaints prior to filing a regular grievance. Grievances are to be submitted within seven(7) days from the date of the occurrence or incident or within seven days after the inmate became aware of the incident. The grievance is to be placed in the grievance box located in each housing unit.

Only one issue per grievance form will be addressed. If the grievance is submitted on a weekend or a holiday, it will be received during the next working day.

## Return of Unprocessed Grievance

Intake Action: This Grievance Form is being returned to the inmate under the provisions outlined in DOC Procedure 4.4 "Inmate Grievance Procedure" for the following reason(s):

☐ Vulgar/Abusive or Threatening Language. The language that is unacceptable has been highlighted. The grievance may be resubmitted omitting this language.

☒ Non-Grievable. This issue has been defined as non-grievable in accordance with DOC Policy 4.4. These procedures have their own appeal process that must be followed. ☒ Disciplinary Action ☐ Parole Decision  
☐ Classification Action

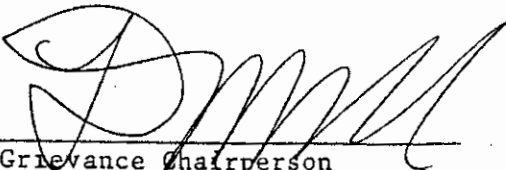
☐ Request. Requests are not processed through the grievance procedure. Please correspond with the appropriate office to secure the information that is requested.

☐ Duplicate Grievance(s). This issue has been addressed previously in Grievance # \_\_\_\_\_.

☐ Original Grievances must be submitted to the Inmate Grievance Chairperson. Photocopies are not accepted.

☐ Inquiry on behalf of other inmates. Inmates cannot submit grievances for other inmates.

☒ Expired filing period. Grievance exceeds seven(7) days from date of occurrence.

  
Inmate Grievance Chairperson

DEC 20 2004

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Form#: 584 (F&B)  
(Reverse Revised July '99)

INMATE GRIEVANCE

PG # 2 of 7

C/Os Smith and Pusey placed me in Cell A upper #12 Building #22 while they conducted a search of my property that was in Cell Lower #10. During the Shakedown I was able to hear and see as several Library Books along with various other items were thrown into the hallway from my old cell.

When Officer Pusey brought me the property that was deemed allowable to cell upper #12 he placed a trash bag containing my property on the floor and signaled for the cell door to be opened. When the door opened Officer Pusey began to hand me ② Library Books which were clearly labeled as such.

I stepped out of the cell and pointed down to the floor at my Thesaurus and Dan Brown novel and asked why they were being confiscated. Officer Pusey stated that the books were being taken because I had more than the allowable number of books.

I told Officer Pusey that the Thesaurus and Dan Brown novel were personal books and that they were clearly labeled as such with a piece of tape with the words "personal property" written on it.

I began to explain that I was allowed to have ② personal books along with ② Library Books. Officer Pusey then stated "I don't care," and grabbed me by my shirt telling me to get back in my cell. I fell backwards over the trash bag containing my property and hit my head on the cell door handle.

over →  
PG # 17



Before I could get back to my feet officer Pusey dropped the Library Books he was holding and placed me in a headlock and called downstairs for officer Smith.

From the headlock I asked officer ~~pus~~ Pusey what his fucking problem was and reached my hands under Pusey's arm to relieve the pressure from around my neck.

Now at this point I am not sure who started to punch me in the chest and stomach, but someone hit me repeatedly before officer Smith pulled my feet out from underneath of me and I fell to the floor.

Everything that happened until now except for how this incident began could possibly be justified by officers Smith and Pusey by saying that I resisted. But that would be a lie.

As soon as I hit the floor I turned onto my stomach voluntarily and placed my hands behind my back. Officer Pusey knelt on my back and began twisting my arm behind my back as if to cuff me.

Officer Smith bent over me and said "I hate this faggot mother fucker", and began to punch me in the face, he hit me like (5) times before standing up.

When I moved my free arm to protect my face officer Pusey released my other arm and placed me in a choke hold, he applied so much pressure that I was scared for my life. And when I managed to mumble that I couldn't breathe officer Pusey squeezed harder.

Cont. Pg #4 →

At this point in time Some other Officers arrived and C/O Smith told Someone to "Spray this Motherfucker", and I was Capfoamed and handcuffed.

I was then to stand up and face the wall where C/O Smith Smashed my Face into the wall and every Couple of Seconds he would Slap me in the back of the head So that my Face hit the wall.

Officers Smith and Pusey then escorted me down the back tier Stairs and when we reached the bottom Officer Smith grabed me by the throat and held me like that as he led me past all of the downstairs Cells as if displaying what had been done to me like I was some Kind of trophy.

After we left the tier Officers Smith and Pusey held my arms up in the air Causing me to Stoop Forward So that the top of my head was out infront of me.

When building # 22<sup>s</sup> inside Slider was opened my arms where pushed So that my head was banged into the door Jam. Officers Smith and Pusey thought that this was extreamly Funny and they repeated the head into the door Jam Scinerio when building # 22<sup>s</sup> outside Slider opened with Comments like "that Sounded like it hurt".

They then led me up the walkway and Forced my head into building # 24<sup>s</sup> wall. I Caldn't See because of the Capfoam in my eyes So I was unable to ovoid these blatant attempts to inflict pain.

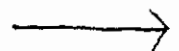
PG # 5 of 7

I was then placed in one of building #24<sup>s</sup> classrooms and left alone for a couple of minutes before nurse Betty examined my wounds. I started to tell her and everyone in the room how officers Smith and Pusey treated me. Officer Smith who was in the room repeatedly told me to "Shut up Hopkins," as if I shouldn't tell anyone about the things that were done to me.

Nurse Betty directed L.T. Garrety to take me to be cleaned up in order to remove the Capfoam from my eyes. As I leaned over the sink I heard many people around me so I told the whole room about the things that had been done to me and again Officer Smith told me repeatedly to "Shut up" from some distance away.

I was led back to a classroom where my feet were shackled to a table leg and left alone for a couple of minutes before the classroom door opened and officers Smith and Pusey came in and ordered me to ~~shut up~~ stand up. I stood up and I was bent over the table that I was shackled to. Officer Smith then grabbed the middle finger of my right hand and started to bend it backwards, he then let go of my middle finger and switched to my Index finger of my right hand. Officer Pusey then asked Officer Smith "do you have the one you want?" and Smith began to bend my finger backwards as if to break it. When my finger started to hurt I called officers Smith and Pusey a couple of real bitches and they both got off of me and left the room.

Cont. PG #





PG # 6 of 7

A Couple of minutes passed and nurse Betty Came back into the room and Cleaned my wounds, She then took my blood pressure and Checked my blood oxygen Content before telling me to "Calm down", before leaving.

During this incident I Felt like a small child in the hands of two Sadistic adults. These two officers Seemed to get a perverse pleasure From Causing me pain.

I did not resist because I have a release date and I want to keep it. I knew what the Consequences would be if I threw a punch at these guards.

Because of the extensive injuries I recieved at the hands of these officers I requested that pictures be taken of my body and L.T. Garrety took several photo's But he could not take pictures of the abraisions on my Scalp.

These officers Claim that I recieved the injuries because I resisted. But if I resisted enough to justify the injuries I recieved then why is there not one single scratch or mark on officers Smith and Pusey.

Thank You For Your Time.

Shane Hopkins

PG # 19